

1 DANIEL G. BOGDEN
2 United States Attorney
3 District of Nevada
4 ANDREW W. DUNCAN
5 CRISTINA D. SILVA
6 Assistant United States Attorneys
333 Las Vegas Boulevard South
Suite 5000
Las Vegas, Nevada 89101
702-388-6336

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,) Case No.: 2:13-cr-00250-JAD-VCF
Plaintiff,) STIPULATION TO CONTINUE
vs.) EVIDENTIARY HEARING (Second
ROBERT KANE, et al.,) Request) (Doc. #170)
Defendant.)

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IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G.
Bogden, United States Attorney; Andrew W. Duncan and Cristina Silva, Assistant
United States Attorneys, counsel for the United States of America, and Assistant
Federal Public Defender Raquel Lazo, counsel for defendant Carr; C. Stanley
Hunterton, Esq. counsel for defendant Coleman; Michael R. Pandullo, Esq., counsel for
defendant Panter; Brent Percival, Esq., counsel for defendant Congero, Thomas
Pitaro, Esq., counsel for defendant Kane; and Terrence M. Jackson, Esq., counsel for
defendant McNamara:

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1 THAT THE EVIDENTIARY HEARING CURRENTLY SCHEDULED FOR
2 September 10, 2015 be vacated and set to a time convenient for the Court, no earlier
3 than 45 days.

4 1. Counsel for Government extended a plea offer to all the defendants in
5 July. Additional time is needed for counsel for the Defendants to consider the offers.
6 Acceptance of the plea agreements may have different consequences on some of the
7 defendants. The attorneys for the Defendants also need additional time to discuss
8 those potential consequences. If the new plea offer is accepted, it will alleviate the
9 need to hold the evidentiary hearing and a trial. The parties are working diligently to
10 resolve the case pre-hearing and pre-trial.

11 2. The parties agree to the continuance.

12 3. All of the defendants are out of custody and do not object to the
13 continuance.

14 4. Additionally, denial of this request for continuance could result in a
15 miscarriage of justice.

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5. This is the second request for continue the evidentiary hearing.

DATED this 4th day of September, 2015.

DANIEL G. BOGDEN
United States Attorney

/s/
ANDREW W. DUNCAN
CRISTINA D. SILVA
Assistant United States Attorney

C. STANLEY HUNTERTON, ESQ.
Counsel for Defendant Coleman

/s/
RAQUEL LAZO, ESQ.
Assistant Federal Public Defender
Counsel for Defendant Carr

/s/
MICHAEL PANDULLO, ESQ.
Counsel for Defendant Panter

/s/
BRENT PERCIVAL, ESQ.
Counsel for Defendant Congero

/s/
THOMAS PITARO, ESQ.
Counsel for Defendant Kane

/s/
TERRENCE JACKSON, ESQ.
Counsel for Defendant McNamara

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)
Plaintiff,) Case No.: 2:13-cr-00250-JAD-VCF
vs.) ORDER
ROBERT KANE, et al.,)
Defendant.)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for Government extended a plea offer to all the defendants in July. Additional time is needed for counsel for the Defendants to consider the offers. Acceptance of the plea agreements may have different consequences on some of the defendants. The attorneys for the Defendants also need additional time to discuss those potential consequences. If the new plea offer is accepted, it will alleviate the need to hold the evidentiary hearing and a trial. The parties are working diligently to resolve the case pre-hearing and pre-trial.

2. The parties agree to the continuance.
3. All of the defendants are out of custody.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. This is the second request for continue the evidentiary hearing.

ORDER

IT IS ORDERED that the evidentiary hearing (Doc. #170) scheduled for September 10, 2015 be vacated and continued to October 27, 2015, at the hour of 9:00 a.m.

DATED this 8th day of September, 2015.

HONORABLE JENNIFER A. DORSEY
UNITED STATES DISTRICT JUDGE